

## REMARKS

### DRAWINGS

#### Paragraph 1 of the Office Action

The drawings were objected to as failing to comply with 37 CFR §1.83(a). The Examiner has indicated that the drawings must show every feature of the invention specified in the claims. The Examiner further asserts that the multiple segments that are “sequentially connected telescopically” of Claim 4 must be shown or the feature(s) cancelled from the claims(s).

Claim 4 has been cancelled.

However, Applicant as added at least new independent Claim 9 which recites a first pole segment and a second pole segment, and new independent Claim 13 which recites a plurality of pole segments. Accordingly, each of the aforementioned claims might be interpreted to imply that “multiple segments” are present.

“[T]he applicant for a patent is required to furnish a drawing of his or her invention where necessary for the understanding of the subject matter sought to be patented . . .” (37 CFR §1.81, emphasis added)

In this regard, Applicant’s Figure 1 is a perspective view illustrating an extension pole according to the present invention. The present invention is directed to a new and improved extension pole . . . to join additional like poles, . . . *Each pole is identical* and has a larger diameter beginning end and a smaller diameter trailing end, wherein the smaller end of a leading or first tube can be inserted into the larger diameter beginning of an *additional tube* . . .” (paragraph (004), Brief Summary of the Invention)

As Figure 1 illustrates the pole extension of the present invention, and each additional pole segment is identical to that pole extension segment shown in Figure 1, persons skilled in the art

would understand that reference to a second pole segment, multiple pole segments, or a plurality of pole segments would representatively be shown by the pole extension shown in Figure 1. Therefore, Applicant believes that the drawings of his or her invention are adequate for the understanding of the subject matter sought to be patented.

Accordingly, Applicant respectfully submits that the Examiner's objection to the drawings be withdrawn.

### **CLAIMS**

Claims 1-8 were previously presented. In the present amendment: Claims 1-4 have been canceled and new Claims 9-16 have been added. Thus, after entry of the present amendment, Claims 5-16 will be pending.

Of the above-referenced claims, Claims 5, 9, and 13 are independent. Once patentability of those claims is established, all claims depending therefrom are likewise allowable. Accordingly, the remarks set forth below focus primarily on those independent claims.

Even if the Examiner is not persuaded as to the patentability of those independent claims, however, Applicant respectfully submits that the further limitations of the dependent claims render at least those dependent claims allowable.

### **Paragraph 2 of the Office Action**

### **CLAIM REJECTIONS - 35 U.S.C. §103**

Claim 1, 2, and 5-7 were rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Schroeder (U.S. Patent No. 3,091,790) in view of Parsons (U.S. Patent No. 5,961,387), and Claim 3, 4, and 8 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Schroeder in view of Parsons in further view of GB 2278190.

As indicated above, Claims 1-4 have been cancelled.

Applicant has added new Claims 9-16 which Applicant believes more clearly convey the distinguishing features of Applicant's invention.

Applicant respectfully submits that Schroeder does not disclose a second end portion (smaller diameter) of a first pole segment having a protective end cap inserted therein being received into a first end portion (larger diameter) of a second pole (Claim 9), or a plurality of pole segments wherein the second end portion (smaller diameter) of one pole segment having a protective end cap inserted therein is received into a first end portion (larger diameter) of a different pole segment (Claim 13) so that an extension pole assembly having a protective end cap is formed without removal of the protective end cap of any other pole segment (Claims 9 and 13).

In other words, in contrast to the tool of Schroeder, as well as all other prior art extension poles known by the inventor, lengthening Applicant's pole assembly requires that a smaller end of a leading (existing) or first tube be insert into the larger diameter of the tube being added to the assembly. This configuration allows a pole segment to be added to the existing pole assembly without removal of the protective end cap from the smaller end portion of the existing segment as this smaller end portion is inserted into or received into the larger end portion of a tube segment being added to the existing pole assembly.

Likewise, shortening of the pole assembly by removal of a pole segment exposes the smaller end portion having a protective cap already inserted therein.

Accordingly, Applicant's invention provides for the formation of an extension pole assembly (extending by the addition of a pole segment, or reducing by the removal of a pole segment) having a protective end cap formed therein without the addition or removal of the protective end cap from any other pole segment.

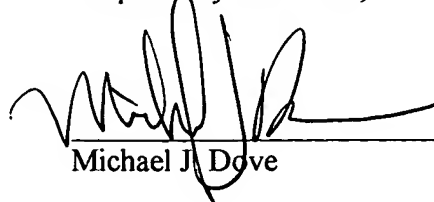
In contrast to Applicant's invention, the Schroeder configuration would require the removal of any protective end cap from the existing pole assembly's larger diameter end before the smaller end of a pole segment to be added could be inserted to the larger end portion to lengthen the pole assembly. In other words, Schroeder teaches insertion of a smaller diameter pole into a larger diameter existing pole in order to lengthen the extension assembly. On the other hand, Applicant's invention teaches positioning of a larger diameter pole over the smaller diameter end of an existing pole in order to lengthen the extension assembly.

In this regard, Applicant's invention is a significant departure from the prior art. As each successive pole segment is joined together an extension pole assembly having a protective end is formed without removal of the protective end cap of any other pole segment. Consequently, the extension pole assembly will always have a protective end cap, removal of the end cap from one pole segment and the insertion of the same end cap into another pole segment is negated, and the possibility of losing end caps or damage to the surrounding environment by an unprotected end of a pole segment is negligible.

In view of the amendments and remarks set forth above, it is thought the application is now in condition for allowance, notice whereof is respectfully requested of the Examiner.

If the Examiner has any questions regarding the foregoing, or if the Examiner would like to discuss any minor defects regarding this application, the Examiner is invited to contact the Applicant at (949) 922-8362.

Respectfully submitted,

  
Michael J. Dove

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